

REMARKS

Claims 1, 3 and 10 have been amended. Claims 2 and 14 have been canceled and claims 4-7 withdrawn. Claims 1 and 3-13 still remain pending in this application.

I. Rejection of Claims under Section 112

Claims 3 and 10-13 were rejected as being indefinite for not having antecedent basis for "the first strap" and "the second strap". Claims 3 and 10 have been amended to provide the required antecedent basis.

II. Rejection of Claims under Section 103(a)

A. Nielsen et al. '384 in view of Monahan et al. '708

Claims 1, 3 and 10-12 stand rejected under Section 102(e) as being unpatentable over Nielsen '384 in view of Monahan '708.

The office action states that Nielsen teaches a mirror assembly that includes a base that is capable of being secured so that it spans the gap between the head rest and the seat back. Nielsen teaches the use of straps to secure a mirror housing directly to the front surface of a head rest. See Figs. 6, 7A and 7B, for example. In Nielsen, the mirror housing is configured to communicate directly with the head rest. For example, the housing of Fig. 7B is specifically contoured to communicate with the rounded face of the head rest.

More specifically, Nielsen teaches a mirror that is of a wireless remote controlled nature. The base 18 is fixed to the headrest while the mirror portion can be adjusted using the mechanism shown in Fig. 4 that can be wirelessly remote controlled. The base

18 is large and extends outwardly to house the bulky remote control mechanism of Fig. 4. The mirror does not pivot but rather slides relative to the base using this mechanism.

Monahan is cited for the teaching of a well known slotted buckle configuration.

In contrast, the present invention is a manually operated mirror assembly that is desired to be as low profile as possible while still providing a good range of adjustability. A large and sturdy base plate 22 is provided that can be attached to the head rest or span across the gap between the head rest and the seat back so it may be positioned lower, if desired. Also, as discussed in detail in paragraph 42 and shown in Figs. 11 and 12, the mirror may be connected by an on-center or off-center (i.e. asymmetrically positioned) ball and socket joint. In particular, see Fig. 12, which illustrates an asymmetrically adjustably mounted mirror.

Claim 1 has been amended to specify the configuration of the base plate and the asymmetric mounting of the mirror thereto with a ball and socket joint. This unique configuration, as stated in paragraph 42, allows for the lower portion of the mirror housing 28 to extend substantially below the base plate 22. This allows for additional clearance, if needed, to adjust the mirror. The cited prior art is devoid of a teaching or suggestion of such a structure. In fact, Nielsen teaches away from such a structure because it uses an internal remote controlled mechanism, that by its design does not pivot but slide relative to its base.

In view of the foregoing, applicant submits that claim 1 is now allowable over the combination of Nielsen in view of Monahan. Claims 3 and 10-12 depend from now

allowable claim 1. Therefore, it is submitted that claims 3 and 10-12 are now also allowable over the cited prior art.

B. Nielsen et al. '384 in view of Monahan et al. '708 and Lumbra '347

The office action states that claim 13 is rejected based on the combination of Nielsen, Monahan and Lumbra. Claim 13 depends from now allowable claim 1. Therefore, applicant submits that claim 13 is now also allowable over the cited prior art.

C. Nielsen et al. '384 in view of Monahan et al. '708

The office action states that claims 8 and 9 are rejected based on the combination of Nielsen and Monahan. Claims 8 and 9 depend from now allowable claim 1. Therefore, applicant submits that claim 13 is now also allowable over the cited prior art.

III. Conclusion

Applicant submits that Claims 1 and 3-13, as amended, are allowable over the cited prior art. In view of the above, Applicants submit that pending Claims 1 and 3-13 are now in condition for allowance. Reconsideration of the Rejections and Objections are requested. Allowance of Claims 1 and 3-13 at an early date is solicited.

If an extension of time is required for timely submission of this response, Applicant hereby petitions for an appropriate extension of time and the Office is authorized to charge Deposit Account 02-0900 for the appropriate additional fees in connection with the filing of this response.

The Examiner is invited to telephone the undersigned should any questions arise.

Respectfully submitted,

/david r. josephs/

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